

**AGENDA ITEM NO. VI-2**

**AGENDA REPORT**

**SPECIAL MEETING OF THE OVERSIGHT BOARD FOR THE CITY OF MAYWOOD  
AS SUCCESSOR AGENCY OF THE MAYWOOD  
COMMUNITY REDEVELOPMENT AGENCY**

---

**DATE:** AUGUST 29, 2012

**TO:** HONORABLE CHAIR AND MEMBERS OF THE OVERSIGHT BOARD

**FROM:** ANDRE DUPRET, PROJECT MANAGER

**BY:** YOLANDA M. SUMMERHILL, DEPUTY ATTORNEY FOR  
SUCCESESOR AGENCY

**SUBJECT:** REQUEST FOR PROPOSAL TO PROVIDE LEGAL SERVICES TO THE  
MAYWOOD OVERSIGHT BOARD

---

**RECOMMENDATION**

That the Oversight Board for the City of Maywood ("Oversight Board") to the Successor Agency of the Maywood Community Redevelopment Agency ("Successor Agency"), review and approve distribution of the Request for Proposal ("RFP") to provide legal services to the Oversight Board.

**FISCAL IMPACT**

The fiscal impact will depend on the cost of legal services for the legal advisors that the Oversight Board ultimately approves.

**LEGAL REVIEW**

The Successor Agency Counsel reviewed this report.

**BACKGROUND**

At the August 9, 2012 meeting, the Oversight Board directed Successor Agency staff to explore retention of legal services to advise the Oversight Board. In following up with this request, staff seeks the Oversight Board's review, approval and distribution of the following Request for Proposal to provide legal services to the Oversight Board.

## **DISCUSSION**

Pursuant to Health and Safety Code Section 34179(n), "an oversight board may direct a successor agency to provide additional legal or financial advice than what was given by agency staff."

At the August 9, 2012 meeting, the Maywood Oversight Board directed staff to explore retaining legal services for the Oversight Board including inviting the Los Angeles County Counsel to sit as legal advisors to the Oversight Board.

Currently, Oversight Boards throughout the State of California are similarly seeking legal counsel via the competitive bidding process. Consistent with this approach, below is a Request for Proposal for legal services as legal advisor for the Oversight Board's consideration.

Attachment: Request for Proposal

**REQUEST FOR PROPOSALS (RFP) FOR LEGAL COUNSEL FOR THE OVERSIGHT BOARD TO  
THE SUCCESSOR AGENCY TO THE MAYWOOD COMMUNITY REDEVELOPMENT AGENCY**

**TABLE OF CONTENTS**

**SECTION 1 INTRODUCTION**

**SECTION 2 CONTRACT TERMS**

**SECTION 3 EXPERIENCE/QUALIFICATIONS**

**SECTION 4 SCOPE OF SERVICES**

**SECTION 5 CONFLICT OF INTEREST**

**SECTION 6 PROPOSAL SUBMISSION REQUIREMENTS**

**SECTION 7 EVALUATION PROCEDURE**

## **SECTION 1: INTRODUCTION**

This Request for Proposals for the Oversight Board to the Successor Agency to the City of Maywood Community Redevelopment Agency ("Oversight Board") seeks proposals from qualified California-licensed and insured attorneys to provide legal counsel to the Oversight Board. The selected person and/or firm will represent the Oversight Board at regularly scheduled Oversight Board Meetings, Special Meetings, and other meetings as needed. The selected person and/or firm will advise Oversight Board members on items described in Section 4: Scope of Services.

Background Pursuant to the provisions of ABx1 26, which is codified, in part, in *California Health and Safety Code (HSC)* Sections 34170 et seq., redevelopment agencies were dissolved as of February 1, 2012. On January 10, 2012, and pursuant to the authority granted under HSC § 34173, the City of Maywood elected to serve as the Successor Agency to the former Maywood Community Redevelopment Agency. The Maywood City Council serves as the governing body to the Successor Agency. Acting in its capacity as Successor Agency, the City is responsible for winding down the affairs of the former Redevelopment Agency, including but not limited to paying enforceable obligations on Recognized Obligation Schedules (ROPS). Additionally, the Successor Agency's staff and the County of Los Angeles provide support to the Oversight Board.

Pursuant to HSC § 34179, the Oversight Board will oversee and review the actions and dissolution activities of the Successor Agency as further described in HSC §§ 34177, 3417934181. The Oversight Board is comprised of seven board members, of which two were appointed by the Los Angeles County Board of Supervisors, two were appointed by the Mayor of the City of Maywood, one was appointed by the Consolidated Fire Protection District of the County of Los Angeles, one was appointed by the Los Angeles County Board of Education, and one was appointed by the Chancellor of California Community Colleges.

At its meeting on August, 2012, the Oversight Board requested that Successor Agency staff seek legal advisors for the Oversight Board. Interested parties are strongly encouraged to carefully review the requirements and prepare proposals that succinctly highlight experience and qualifications. A committee will evaluate and rate the proposals, references and other information submitted. Top-ranked candidates will be interviewed to further discuss qualifications.

The Oversight Board, Successor Agency and its staff reserves the right to accept or deny any or all proposals, and may withdraw this Request for Proposals ("RFP") at any time without notice.

## **SECTION 2: CONTRACT TERMS**

The Oversight Board anticipates that the initial contract term will be for the period of one (1) year with the option, at the Oversight Board's discretion, of two additional one-year extension periods for a maximum of three (3) years. It is anticipated that compensation will be structured as a monthly retainer fee.

### **SECTION 3: EXPERIENCE/QUALIFICATIONS**

The selected person and/or firm must have experience with municipal and/or other local public sector law. Private sector firms with direct experience in Redevelopment Law contained in the California Health and Safety Code are preferred. Evaluation of relevant experience and qualifications will be based on submitted information outlined in Section 6 below.

### **SECTION 4: SCOPE OF SERVICES**

The Oversight Board is seeking proposals from qualified, California licensed, and insured attorneys to provide legal counsel to the Oversight Board. The successful proposer shall be the legal advisor to the Oversight Board responsible for advising the Oversight Board on the following:

- Counsel Oversight Board members regarding their duties under ABx1 26.
- Draft procedures on conflict declaration and counsel Oversight Board members on individual disqualification matters.
- Counsel on matters before the Oversight Board including but not limited to whether items on the ROPS constitute enforceable obligations. Counsel on matters before the Oversight Board that are allowable under any subsequent legislation that may be adopted through the life of the Oversight Board.
- Counsel the Oversight Board on its interactions with the Successor Agency.
- Review requested documents and inquiry responses provided by the Successor Agency and prepare legal opinions at the request of the Oversight Board.
- Ensure that agenda materials and corresponding documents are made available to the Oversight Board in a timely manner and made available publically in accordance with Brown Act.
- Attend all Oversight Board meetings, as requested on an as-needed basis.
- Confer as needed with County of Los Angeles and Successor Agency Legal Counsel and other advisors.
- Other duties as necessary and directed by the Oversight Board.
- Please note that the preceding is not intended to be an all-inclusive listing of all of the legal issues that the Oversight Board may require legal counsel for, but is intended to be a representative listing of prospective duties and tasks.

### **SECTION 5: CONFLICT OF INTEREST**

Any counsel submitting a response to this RFP must disclose any actual or potential conflict of interest between any member of the Oversight Board or any entity that appointed a member of the Oversight Board and another person or entity represented by the counsel responding to this RFP. In addition, any counsel submitting a response to this RFP should also disclose any project-related work on behalf of any of the following entities: County of Los Angeles, the California Redevelopment Association, City of Maywood, or any entity that appointed a member of the Oversight Board. The Oversight Board is deemed a local agency for purposes of the Ralph M. Brown Act, the California Public Records Act, and the Political Reform Act of 1974.

## **SECTION 6: PROPOSAL SUBMISSION REQUIREMENTS**

Schedule Proposals are due [INCLUDE DATE] by 5:00 p.m. and it is anticipated that interviews will be conducted by the Oversight Board at its 9:30 a.m. Regular Meeting on [INCLUDE DATE]. Final candidates will be informed in advance of the meeting of their interview time.

Proposal Submissions Proposals in response to this RFP are required to provide a minimum of the following information:

1. A completed cover page
2. Description of law firm
  - A. Breadth of services offered;
  - B. Ability, capacity, and skill to provide full service representation, as described above, including the experience of the attorneys with relevant cases; and
  - C. Capacity to service the contract or provide the service promptly, within the time specified, and without delay or interference.
3. Proposed Fee for Services.
  - A. Proposed retainer fee, including any exceptions to the retainer fee; or, alternatively,
  - B. How the applicant proposes to bill their time, including minimum units for general legal, communications advice (telephone, voicemail, email) and costs for travel time, plus any and all necessary costs such as photocopies, telephone or facsimile charges.
4. Client/Reference List
  - A. Provide names, titles, addresses, phone numbers and email addresses for three to five references; and
  - B. Briefly describe the nature of the work performed for the named references as well as the length of the working relationship.
5. Conflict of Interest
  - A. Disclose any actual or potential conflicts of interest between any member of the Oversight Board or any entity that appointed a member of the Oversight Board and any other person or entity represented by the counsel responding to this RFP.
  - B. Disclose any project-related work on behalf of any of the following entities: County of Los Angeles, the California Redevelopment Association, City of Maywood, or any entity that appointed a member of the Oversight Board.

Brochures, pamphlets or other documents containing requested information may be submitted in response to the RFP. If not available, please utilize the proposal outline provided above.

Please submit three (3) hard copy double-sided proposals and an electronic version by \_\_\_\_\_, no later than 5 p.m. to:

The Clerk of the Maywood Oversight Board

The package exterior must clearly include the following, "Request for Proposals for Outside Counsel to the Oversight Board," and must have the proposer's name and return address.

Proposals received after the published deadline will not be accepted. Email delivery shall not be a substitute for or waive physical delivery of the (3) three copies by the deadline.

## **SECTION 7: EVALUATION PROCEDURE**

Proposals will be evaluated and ranked by Successor Agency staff. Firms will be selected for interviews with the Oversight Board at its Regular Meeting on \_\_\_\_\_ at 9:30 a.m.. Final selection of legal counsel will be made by the Oversight Board.

The Oversight Board reserves the right to review, interview and select any number of qualified applicants. In addition, the Oversight Board reserves the right to issue written notice to all participating firms of any changes in the RFP, should the Oversight Board determine in its sole and absolute discretion that such changes are necessary. Acceptance of any proposal submitted pursuant to this RFP shall not constitute any implied intent to enter into a contract for consulting services. The Oversight Board reserves the right to reject any and all proposals.